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on the Elimination
of all Forms of
Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

Documents submitted in compliance with a request of the Committee under article 9, paragraph 1, of the Convention*

NIGERIA

[13 March 1995]

1. The Nigerian Police Force has always, as expected, been drafted into situations of uprising, riots and circumstances of violence and has always coped within the available resources. The contents of their training, in view of their responsibility and duty to the society, take cognizance of the principles of fundamental rights as enshrined in the 1979 Constitution of the Federal Republic of Nigeria. Indeed, at the level of the Police College training, the curriculum includes teaching the promotion and protection of human rights.

2. Bearing in mind that problems of law enforcement exist in every society, some time in the past, some states in Nigeria witnessed inter-communal riots, civil unrest and even violent protests, and the Nigerian Police Force was able to provide the much-needed security and adequately met the situation.

Article 5 of the Convention

3. It is necessary to reiterate, as already stated in the thirteenth report, that Decree No. 107 of 1993 did not erode the fundamental rights enshrined in the Nigerian Constitution. The different rights listed in the report as contained in sections 30-40 remain protected in the Constitution as follows:

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* The present document contains additional information pursuant to a request of the Committee in its concluding observations adopted on 17 August 1993.

(a) The right to equal treatment before the courts and all other organs administering justice;

(b) The right to the dignity and security of person and to protection by the State;

(c) Political rights, in particular the right to participate in elections on the basis of universal and equal suffrage and other rights such as the rights to freedom of movement and residence and the right to own property alone as well as in association with others.

4. Furthermore, Nigeria, in compliance with article 5 of the Convention, promotes and protects the categories of rights under the African Charter on Human and Peoples' Rights, being a party to the Charter. The rights, if and when cited before any Nigerian court, are recognized and upheld.

## Ethnic composition

5. As already stated in the thirteenth report, Nigeria conducted a census in 1991, the results of which, when officially released, would provide a detailed demography of the country and the ethnic composition would be properly represented. Further information on the country's population, which is available and provided below, shows the different regions, states and local government authorities:

| Region | State | Local governments areas | 1991 |
|---|---|---|---|
| | Nigeria | 593 | 88 514 |
| | Bauchi | 23 | 4 294 |
| | Borno | 21 | 2 597 |
| | Yoba | 13 | 1 411 |
| | Adamawa | 16 | 2 124 |
| | Taraba | 12 | 1 481 |
| Northern Region | Niger | 19 | 2 482 |
| | Sokoto | 29 | 4 392 |
| | Kebbi | 16 | 2 062 |
| | Kwara | 12 | 1 566 |
| | Kogi | 16 | 2 099 |
| | Benue | 18 | 2 780 |
| | Plateau | 23 | 3 284 |
| | Kano | 34 | 5 632 |
| | Jigawa | 22 | 2 830 |
| | Kaduna | 18 | 3 969 |
| | Katsina | 25 | 3 878 |

| Region | State | Local governments areas | 1991 |
|---|---|---|---|
| Eastern Region | Anambra | 16 | 2 768 |
| | Enugu | 19 | 3 161 |
| | Imo | 21 | 2 485 |
| | Abia | 17 | 2 294 |
| | C. River | 14 | 1 866 |
| | Akwa | 24 | 2 360 |
| | Rivers | 24 | 3 984 |
| Western Region | Ikeja | | |
| | Oyo | 25 | 3 489 |
| | Oshun | 23 | 2 203 |
| | Ondo | 26 | 3 884 |
| | Ogun | 15 | 2 339 |
| Mid-Western Region | Edo | 14 | 2 160 |
| | Delta | 19 | 2 570 |
| Lagos | Lagos | 15 | 5 686 |
| | FCT | 4 | 379 |
| 4 Regions and Lagos | 30 States and FCT | 593 LGAS | 30 States and FCT |

Article 6 of the Convention

6. The Nigerian Constitution in its section 42, which was extensively quoted in the report, gives special jurisdiction to the High Court as follows:

"1. Any person who alleges that any of the provisions of this chapter has been, is being or likely to be contravened in any State in relation to him may apply to a High Court in that State for redress.

"2. Subject to the provisions of this constitution, a High Court shall have original jurisdiction to hear and determine any application made to it, in pursuance of the provisions of this section, and, may make orders, issue such writs and give such directions, as it may consider appropriate for the purpose of enforcing or securing the enforcement within that State of any rights to which the person who makes the application may be entitled under the Chapter."

7. Apart from the State High Court, other courts of the land, as empowered by the Constitution and other state institutions, are open to anyone within Nigeria to seek redress, remedies and compensation.

## The Nigerian Criminal Code

8. As stated in our report, the Government of Nigeria had put in motion the process of law reform whereby the whole gamut of Nigerian laws would be considered. In particular, a committee was set up on the reform of criminal laws and procedure. The Committee will be informed as soon as the final report is out with all the relevant amendments.

9. In spite of the foregoing, however, it is important to reiterate that the provisions of section 39 of the Nigerian Constitution adequately exclude any form of discrimination.

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